

NOTICE OF ALLOWANCE

1. Applicant's amendment filed on 7/7/2008 is acknowledged and has been entered. Claims 1, 3 and 7 have been amended. Applicant's amendments place the claims 1-9 in condition for allowance. An examiner's amendment and reasons for allowance appears below.

Examiner's amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Che Swyden Chereskin on October 14, 2008.

The application has been amended as follows:

- (a) In the claims 1 and 3, the limitation "7" has been deleted and replaced with --14--.
- (b) In the claim 9, the limitation "for amplifying a region containing a mutation in a polynucleotide encoding a beta 3-adrenergic receptor, resulting in a mutation replacing tryptophan at position 64 in an amino acid sequence of the beta 3-adrenergic receptor with arginine, by using a DNA polymerase" was deleted.

Reasons for allowance

3. The following is an examiner's statement of reasons for allowance: The claimed invention of the claims 1-9 are deemed in condition for allowance because no prior art

was found teaching or suggesting or suggesting the quenching probe as disclosed in the instant claims and wherein said probe is specifically detects Trp64 Arginine mutation by Tm analysis. The instant invention is deemed novel and unobvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CYNTHIA B. WILDER whose telephone number is (571)272-0791. The examiner can normally be reached on a flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on (571) 272-0782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CBW/

/GARY BENZION/
Supervisory Patent Examiner, Art Unit 1637